



DOCKET NO.: 255861US0PCT

DT02 Rec'd PCT/PTO 07 JAN 2005

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Xavier FANTON, et al.

SERIAL NUMBER: 10/502,052

FILED: July 30, 2004

FOR: NON-STOICHIOMETRIC NIOX CERAMIC TARGET

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

COMMISSIONER FOR PATENTS

Alexandria, VA 22313

SIR:

Responsive to the notification dated December 30, 2004, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration. The additional claim fees were paid with the filing of the original application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/502,052	Xavier Fanton et al	255861USOPCT

INTERNATIONAL APPLICATION NO.

PCT/FR03/00340

I.A. FILING DATE

02/04/2003

PRIORITY DATE

02/06/2002

22850

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CONFIRMATION NO. 2511

371 FORMALITIES LETTER



OC000000014844802

ET

Date Mailed: 12/30/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/30/2004
- English Translation of the IA filed on 07/30/2004
- Copy of the International Search Report filed on 07/30/2004
- Copy of IPE Report filed on 07/30/2004
- Preliminary Amendments filed on 07/30/2004
- Information Disclosure Statements filed on 11/01/2004
- Request for Immediate Examination filed on 07/30/2004
- U.S. Basic National Fees filed on 07/30/2004
- Priority Documents filed on 07/30/2004

 RECEIVED: 1/4/05
 OBLON, SPIVAK, McCLELLAND
 MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: SP/1/4/05Type of Resp(s): Add'l Claim Fee / DECLDue Date(s): 2/28/05

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$100 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$100 for a Large Entity:

- Total additional claim fee(s) for this application is \$ 100

• \$100 for 2 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/502,052	PCT/FR03/00340	255861US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)